

 **09hr\_ab0192\_AC-CJ\_pt01**



Details:

(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2009-10

(session year)

### Assembly

(Assembly, Senate or Joint)

### Committee on ... Criminal Justice (AC-CJ)

#### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

#### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**



Present: (9) Representatives Turner, Kessler, Hraychuck, Soletski, Pasch, Friske, Kramer, Brooks and Ripp.

Absent: (2) Representatives Staskunas and Kleefisch.

Moved by Representative Kramer, seconded by Representative Kessler that **Assembly Substitute Amendment LRBs0162/1** be recommended for introduction.

Ayes: (5) Representatives Kessler, Friske, Kramer, Brooks and Ripp.

Noes: (4) Representatives Turner, Hraychuck, Soletski and Pasch.

Absent: (2) Representatives Staskunas and Kleefisch.

Rep. Kleefisch would have voted No had he been present.

INTRODUCTION OF ASSEMBLY SUBSTITUTE  
AMENDMENT LRBS0162/1 RECOMMENDED, Ayes 5, Noes 4

Moved by Representative Kramer, seconded by Representative Kessler that **Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (1) Representative Kramer.

Noes: (8) Representatives Turner, Kessler, Hraychuck, Soletski, Pasch, Friske, Brooks and Ripp.

Absent: (2) Representatives Staskunas and Kleefisch.

Rep. Kleefisch would have voted No had he been present.

ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION NOT  
RECOMMENDED, Ayes 1, Noes 8

Moved by Representative Turner, seconded by Representative Hraychuck that **Assembly Bill 192** be recommended for passage.

Ayes: (6) Representatives Turner, Hraychuck, Soletski, Friske, Brooks and Ripp.

Noes: (3) Representatives Kessler, Pasch and Kramer.

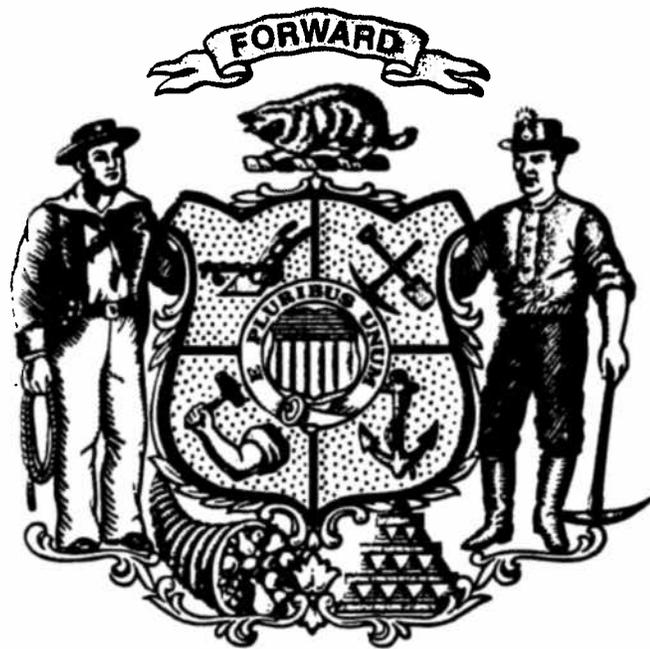
Absent: (2) Representatives Staskunas and Kleefisch.

Rep. Kleefisch would have voted Aye had he been present.

PASSAGE RECOMMENDED, Ayes 6, Noes 3

Nancy McAdams

Nancy McAdams  
Committee Clerk



## Vote Record Committee on Criminal Justice

Date: 10-15-09

Moved by: Turner

Seconded by: Hraychuck

AB 192 SB \_\_\_\_\_ Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_ SJR \_\_\_\_\_ Appointment \_\_\_\_\_  
 AR \_\_\_\_\_ SR \_\_\_\_\_ Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:  
 Passage     Adoption     Confirmation     Concurrence     Indefinite Postponement  
 Introduction     Rejection     Tabling     Nonconcurrency

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Representative Robert Turner, Chair</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Frederick Kessler</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Anthony Staskunas</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Representative Ann Hraychuck</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative James Soletski</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Sandy Pasch</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Joel Kleefisch</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Representative Donald Friske</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Bill Kramer</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Edward Brooks</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Keith Ripp</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>6</u>	<u>3</u>	_____	<u>1</u>

yes if present

Motion Carried       Motion Failed



## Vote Record Committee on Criminal Justice

Date: \_\_\_\_\_

Moved by: Kramer

Seconded by: Rep. Kessler

AB 192 SB \_\_\_\_\_ Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_ SJR \_\_\_\_\_ Appointment \_\_\_\_\_  
 AR \_\_\_\_\_ SR \_\_\_\_\_ Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt 1 \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:

- Passage     Adoption     Confirmation     Concurrence     Indefinite Postponement  
 Introduction     Rejection     Tabling     Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<b>Representative Robert Turner, Chair</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Frederick Kessler</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Anthony Staskunas</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Ann Hraychuck</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative James Soletski</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Sandy Pasch</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Joel Kleefisch</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Donald Friske</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Bill Kramer</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Edward Brooks</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Representative Keith Ripp</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*No if present*

Totals: \_\_\_\_\_

Motion Carried

Motion Failed



## George, Lorna

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**From:** George, Lorna  
**Sent:** Thursday, April 02, 2009 4:17 PM  
**To:** McAdams, Nancy  
**Subject:** AB 192 delivered

4/2

Nancy,

Kay dropped off a jacketed bill (AB 192) for Criminal Justice today. I put it on Bob's desk.

Lorna J. George

Office of State Representative Robert L. Turner  
Room 223 North, State Capitol  
P.O. Box 8953  
Madison, WI 53708  
Tel: 608-266-0731 Toll Free: 888-529-0061  
Fax: 608-282-3661  
[lorna.george@legis.wi.gov](mailto:lorna.george@legis.wi.gov)



**George, Lorna**

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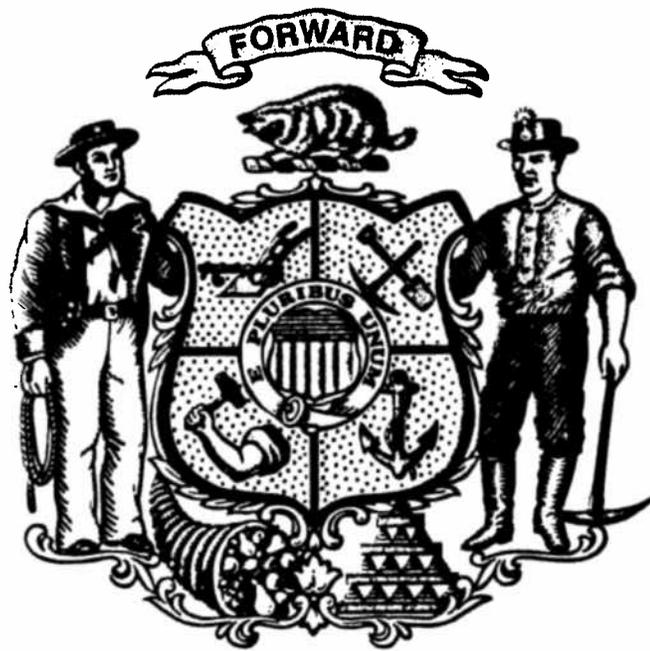
**From:** Greiveldinger, Geoff [Geoff.Greiveldinger@goRacine.org]  
**Sent:** Tuesday, April 14, 2009 8:47 AM  
**To:** Sen.Lehman; Rep.Mason; Sen.Wirch; Rep.Gunderson; Rep.Kerkman; Sen.Lazich;  
Rep.Turner; Rep.Vos  
**Cc:** McReynolds, William L.; Prott, David  
**Subject:** AB 192  
**Attachments:** Letter-AB192-041409.pdf

To the members of Racine County's state legislative delegation:

Attached please find a copy of a letter from County Executive McReynolds in support of AB 192.

Regards,  
*Geoff Greiveldinger*  
Geoffrey Greiveldinger  
Chief of Staff  
County Executive of Racine County  
730 Wisconsin Ave  
Racine, WI 53403  
Phone: (262) 636-3120  
Fax: (262) 636-3549  
Email: Geoff.Greiveldinger@goRacine.org

<<Letter-AB192-041409.pdf>>



**George, Lorna**

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**From:** Greiveldinger, Geoff [Geoff.Greiveldinger@goRacine.org]  
**Sent:** Tuesday, April 14, 2009 10:02 AM  
**To:** Jean Jacobson  
**Cc:** George, Lorna  
**Subject:** RE: Public hearing on AB 192 - legislation relating to battery of a highway worker and providing a penalty

Jean:

I agree that it shouldn't be controversial. In this era of road rage, it's a regrettable necessity. Lorna George says that all the committee members will have copies of the letter. She also says she looks forward to seeing you in Madtown.

Thanks.

Geoff

-----Original Message-----

**From:** Jean Jacobson [mailto:pjacobson1@wi.rr.com]  
**Sent:** Tuesday, April 14, 2009 9:52 AM  
**To:** Greiveldinger, Geoff  
**Subject:** RE: Public hearing on AB 192 - legislation relating to battery of a highway worker and providing a penalty

Thanks – I will read Mac's letter. This will be of great help. It always makes a good impression for someone to appear in person and it will help to hear from the County also. I am not thinking that this Bill will be controversial.

Jean M. Jacobson  
6119 Heg Park Road  
Wind Lake WI 53185  
262-895-4684 - Home  
262-930-4778 - Cell

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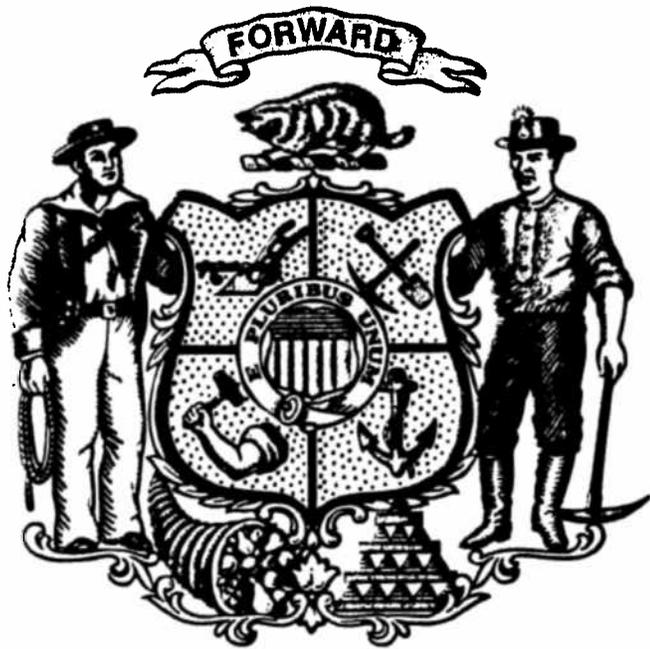
**From:** Greiveldinger, Geoff [mailto:Geoff.Greiveldinger@goRacine.org]  
**Sent:** Tuesday, April 14, 2009 8:39 AM  
**To:** Jean Jacobson  
**Cc:** Prott, David; Rep.Vos; Hale, Janine  
**Subject:** RE: Public hearing on AB 192 - legislation relating to battery of a highway worker and providing a penalty

Jean:

As you surmised, Mac is in Florida this week. However, I'm attaching a pdf of a signed letter to Chairman Turner. I'll email and send hard copies to all members of the county's state legislative delegation. If you'd like to read the letter as part of your testimony at the hearing, feel free to do so.

Hope this helps.

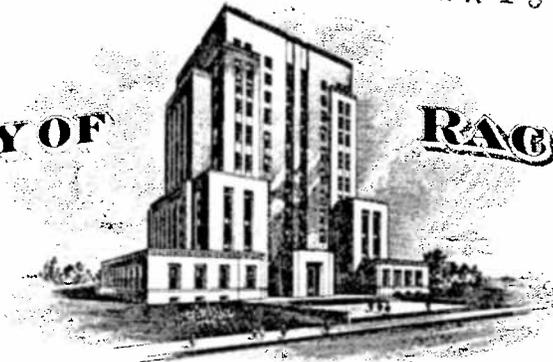
Geoff



APR 15 2009

COUNTY OF

RACINE



RACINE COUNTY COURT HOUSE  
1931

730 Wisconsin Avenue

**RACINE, WISCONSIN**

COUNTY EXECUTIVE  
WILLIAM L. McREYNOLDS

PHONE: 262-636-3273  
FAX: 262-636-3549  
E-Mail: William.McReynolds@goRacine.org

April 14, 2009

Representative Robert Turner  
Chair, Assembly Committee on Criminal Justice  
Room 223 North, State Capitol  
P.O. Box 8953  
Madison, WI 53708-8953

Re: Assembly Bill 192

Dear Chairman Turner:

I am writing in support of Assembly Bill (AB) 192, which would make a battery to a highway construction or maintenance worker a Class I felony. I want to thank you, as well as Representative Vos, Representative Kerkman, and Senator Lehman, for introducing this important legislation.

Highway construction and maintenance is one of the principal responsibilities of Wisconsin local governments. Well maintained roads are essential to economic activity, community quality of life, and, above all, public safety. Local government employees and employees of contractors who perform road construction and maintenance should not have to worry that they will be subjected to violence while engaged in this vital work. They need the special protection that AB 192 will afford them.

Especially at a time of increased highway construction and maintenance, this bill will help protect our highway workers from persons who would harm them and, by doing so, would harm all of us. I urge your committee to take quick, positive action on it.

Sincerely,

A handwritten signature in black ink that reads "William L. McReynolds". The signature is written in a cursive style and is positioned above the printed name and title.

William L. McReynolds  
County Executive

Copies to: Racine County Legislative Delegation  
Jean Jacobson, Norway Town Chair



# IMPORTANT MESSAGE

FOR \_\_\_\_\_ A.M.  
P.M.

DATE 4-16-09 TIME \_\_\_\_\_

M. Rep. Vos -

OF Appearing in favor

PHONE \_\_\_\_\_ EXTENSION \_\_\_\_\_  
AREA CODE NUMBER

FAX \_\_\_\_\_ TIME TO CALL \_\_\_\_\_  
 MOBILE \_\_\_\_\_ AREA CODE NUMBER

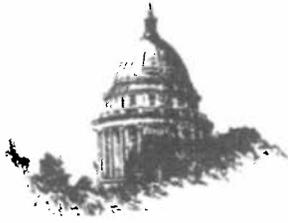
TELEPHONED		PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED \_\_\_\_\_







Wisconsin State Senate  
**John Lehman**  
Senator – 21st District

State Capitol • PO Box 7882 • Madison, WI 53707-7882 • (608) 266-1832 • Toll-free: 1-866-615-7510

**Testimony of State Sen. John Lehman  
Assembly Committee on Criminal Justice  
Assembly Bill 192  
April 16, 2009**

Representative Robin Vos and I have introduced Assembly Bill 192 (and Senate Bill 101) which make bring battery of a Wisconsin highway worker a class I felony.

This past Christmas Eve, a snow plow driver and constituent in the Town of Norway was beaten by a man after he requested that he move his car. The plow driver was hospitalized as a result of his injuries.

AB 192 would provide the same penalty for battery of Wisconsin highway workers as is provided for battery of school district employees and public transit workers. Plow drivers and other highway workers work hard to keep our streets safe for us. We as legislators should try to do the same for them.





# ROBIN J. VOS

STATE REPRESENTATIVE • RACINE COUNTY

**Testimony on 2009 Assembly Bill 192**  
**Battery to a highway construction or maintenance worker**  
**Rep. Robin Vos**  
**April 16, 2009**

Dear Chairman Turner and members of the Assembly Criminal Justice Committee:

Thank you for holding a hearing on Assembly Bill 192 in such a timely manner. I greatly appreciate your attention to this legislation.

Sen. John Lehman and I have introduced this bill and its companion (SB 101) on behalf of the Town of Norway located in our legislative districts. Last Christmas Eve one of the town's snow plow drivers was beaten by a citizen when the driver asked him to move his parked vehicle or get a ticket. As the town began to examine this situation it was discovered that current law allows felony charges for battery of certain public agents (including an operator of a public transit vehicle), emergency care providers and government officials and employees, but not highway workers.

AB 192 makes this change by including felony battery charges for anyone who is working to construct, repair, or maintain a highway. A person who causes such bodily harm would be guilty of a Class I felony which is a fine of not more than \$10,000, imprisonment for not more than three years and six months, or both.

Highway workers play a valuable role in keeping our state and local infrastructure safe and sound. They deserve the added protection afforded their counterparts.

Again, thank you for your consideration of AB 192 and please feel free to contact me with any questions or concerns.



**McAdams, Nancy**

4/27 Check w/ Bob

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**From:** Hale, Janine  
**Sent:** Monday, April 27, 2009 9:49 AM  
**To:** McAdams, Nancy  
**Subject:** RE: Exec on AB 192

Thanks for the reply Nancy. Appreciate the follow-up.

Janine

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**From:** McAdams, Nancy  
**Sent:** Monday, April 27, 2009 9:17 AM  
**To:** Hale, Janine  
**Subject:** RE: Exec on AB 192

Hi Janine,

Not really. I have not discussed it with Bob yet, as he has been quite busy. The very earliest it would be is May 14th, but I have not run this by Bob at all yet. Sorry I can't be more specific at this point. I will try to get some information from him this week.

Nancy

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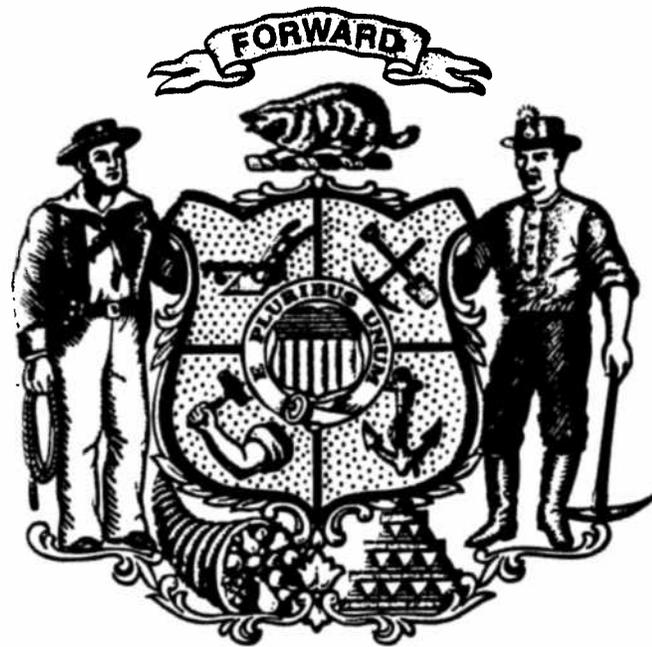
**From:** Hale, Janine  
**Sent:** Thursday, April 23, 2009 1:01 PM  
**To:** McAdams, Nancy  
**Subject:** Exec on AB 192

Hi Nancy,

Do you have any idea when the Criminal Justice Committee may be voting on AB 192?

Thanks,  
Janine

**Janine L. Hale**  
**Office of State Representative Robin Vos**  
105 West, State Capitol  
P.O. Box 8953  
Madison, WI 53708  
608-266-9171 - office  
1-888-534-0063 - toll-free  
608-282-3663 - fax  
[janine.hale@legis.wi.gov](mailto:janine.hale@legis.wi.gov)



TESTIMONY ON ASSEMBLY BILL 192, RELATING TO BATTERY TO A HIGHWAY  
CONSTRUCTION OR MAINTENANCE WORKER AND PROVIDING A PENALTY

Appearing in Favor:

Rep. Robin Vos  
Jean Jacobson, Wind Lake WI  
Scott Laux, Wind Lake, WI  
Tom Kramer, Waterford, WI

Registering in Favor:

Senator John Lehman  
Joe Strohl, Operating Engineers Local 139

Date ?